



Sen. David Koehler

Filed: 3/25/2009

09600SB2271sam001

LRB096 11281 DRJ 24440 a

1 AMENDMENT TO SENATE BILL 2271

2 AMENDMENT NO. _____. Amend Senate Bill 2271 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Energy Assistance Act is amended by
5 changing Section 6 as follows:

6 (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

7 Sec. 6. Eligibility, Conditions of Participation, and
8 Energy Assistance.

9 (a) Any person who is a resident of the State of Illinois
10 and whose household income is not greater than an amount
11 determined annually by the Department, in consultation with the
12 Policy Advisory Council, may apply for assistance pursuant to
13 this Act in accordance with regulations promulgated by the
14 Department. In setting the annual eligibility level, the
15 Department shall consider the amount of available funding and
16 may not set a limit higher than 150% of the federal nonfarm

1 poverty level as established by the federal Office of
2 Management and Budget. Notwithstanding any other provision of
3 this Section, in determining the amount of a household's annual
4 income, the Department may consider the household's
5 extraordinary medical expenses, as defined by the Department by
6 rule, including but not limited to expenses related to life
7 support equipment for a household member.

8 (b) Applicants who qualify for assistance pursuant to
9 subsection (a) of this Section shall, subject to appropriation
10 from the General Assembly and subject to availability of funds
11 to the Department, receive energy assistance as provided by
12 this Act. The Department, upon receipt of monies authorized
13 pursuant to this Act for energy assistance, shall commit funds
14 for each qualified applicant in an amount determined by the
15 Department. In determining the amounts of assistance to be
16 provided to or on behalf of a qualified applicant, the
17 Department shall ensure that the highest amounts of assistance
18 go to households with the greatest energy costs in relation to
19 household income. The Department shall include factors such as
20 energy costs, household size, household income, and region of
21 the State when determining individual household benefits. The
22 Department may also include factors such as extraordinary
23 medical needs of a household member, as defined by the
24 Department by rule, including but not limited to a need for
25 life support equipment, when determining individual household
26 benefits. In setting assistance levels, the Department shall

1 attempt to provide assistance to approximately the same number
2 of households who participated in the 1991 Residential Energy
3 Assistance Partnership Program. Such assistance levels shall
4 be adjusted annually on the basis of funding availability and
5 energy costs. In promulgating rules for the administration of
6 this Section the Department shall assure that a minimum of 1/3
7 of funds available for benefits to eligible households with the
8 lowest incomes and that elderly and disabled households are
9 offered a priority application period.

10 (c) If the applicant is not a customer of an energy
11 provider for winter energy services or an applicant for such
12 service, such applicant shall receive a direct energy
13 assistance payment in an amount established by the Department
14 for all such applicants under this Act; provided, however, that
15 such an applicant must have rental expenses for housing greater
16 than 30% of household income.

17 (d) If the applicant is a customer of an energy provider,
18 such applicant shall receive energy assistance in an amount
19 established by the Department for all such applicants under
20 this Act, such amount to be paid by the Department to the
21 energy provider supplying winter energy service to such
22 applicant. Such applicant shall:

23 (i) make all reasonable efforts to apply to any other
24 appropriate source of public energy assistance; and

25 (ii) sign a waiver permitting the Department to receive
26 income information from any public or private agency

1 providing income or energy assistance and from any
2 employer, whether public or private.

3 (e) Any qualified applicant pursuant to this Section may
4 receive or have paid on such applicant's behalf an emergency
5 assistance payment to enable such applicant to obtain access to
6 winter energy services. Any such payments shall be made in
7 accordance with regulations of the Department.

8 (f) The Department may, if sufficient funds are available,
9 provide additional benefits to certain qualified applicants:

10 (i) for the reduction of past due amounts owed to
11 energy providers; and

12 (ii) to assist the household in responding to
13 excessively high summer temperatures or energy costs.
14 Households containing elderly members, children, a person
15 with a disability, or a person with a medical need for
16 conditioned air shall receive priority for receipt of such
17 benefits.

18 (Source: P.A. 91-936, eff. 1-10-01; 92-690, eff. 7-18-02.)

19 Section 99. Effective date. This Act takes effect September
20 1, 2009."